

# **EXHIBIT 35**

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;  
ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC. , a Nevada corporation;  
SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**DEFENDANT RIMINI STREET INC.'S  
RESPONSES AND OBJECTIONS TO  
PLAINTIFFS' SECOND AMENDED  
REQUESTS FOR ADMISSIONS NOS.  
239-240 TO DEFENDANT RIMINI  
STREET, INC.**

Pursuant to Federal Rules of Civil Procedure 26 and 36, Rimini Street, Inc. ("Rimini Street"), by and through its undersigned counsel, responds to Oracle USA, Inc., Oracle America, Inc., and Oracle International Corp.'s ("Oracle") Second Amended Requests for Admissions Nos. 239-240 ("Requests").

1 **GENERAL OBJECTIONS**

2 Rimini incorporates by reference its previous General Objections to Plaintiff's  
3 Requests for Admissions.  
4

5 **RESPONSES**

6 **SECOND AMENDED REQUEST NO. 239:**

7 For the Environments identified as items 1-468 in column A of Amended Exhibit B, admit  
8 that each Environment listed in column B embodies a substantial portion of the protected  
9 expression of each of the registered copyrights listed in column D.

10 **RESPONSE TO SECOND AMENDED REQUEST NO. 239:**

11 Rimini objects to this Request as overly broad and unduly burdensome as it requires 468  
12 separate admissions under the guise of a single request. Rimini also objects to the extent this  
13 Request calls for a legal conclusion, and to the extent it requires expert opinion.

14 Subject to and without waiver of the foregoing general and specific objections as well as  
15 Rimini's defenses of license, estoppel and waiver and Oracle's course of conduct: Rimini admits  
16 that the Environments listed as items 1-280, 282-285, 287-322, 324-333, 335-336, 338-468 in the  
17 second column of Amended Exhibit B embodies a substantial portion of the protected expression  
18 of the corresponding registered copyright(s) listed in the fourth column of Amended Exhibit B.  
19 For the remaining listed Environments, Rimini denies this request.

20 **SECOND AMENDED REQUEST NO. 240:**

21 For the Environments identified as items 1-468 in column A of Amended Exhibit B, admit  
22 that each Environment listed in column B embodies more than a *de minimis* or trivial amount of  
23 protectable expression from each of the registered copyrights listed in column D.

24 **RESPONSE TO SECOND AMENDED REQUEST NO. 240:**

25 Rimini objects to this Request as overly broad and unduly burdensome as it requires 468  
26 separate admissions under the guise of a single request. Rimini Street further objects to this  
27 request as improper under Fed. R. Civ. P. 36 as seeking a legal conclusion to the extent that  
28 Oracle seeks an admission on the legal significance of the term "more than a *de minimis* or trivial

1 amount of protectable expression.”

2 Subject to and without waiver of the foregoing general and specific objections as well as  
3 Rimini’s defenses of license, estoppel and waiver and Oracle’s course of conduct: Rimini admits  
4 that the Environment listed as items 1-280, 282-285, 287-322, 324-333, 335-336, 338-468 in the  
5 second column of Amended Exhibit B embodies a substantial portion of the protected expression  
6 of the corresponding registered copyright(s) listed in the fourth column of Amended Exhibit B.  
7 For the remaining listed Environments, Rimini denies this request.

8  
9 DATED: March 5, 2012

SHOOK, HARDY & BACON

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11 By: /s/ Robert H. Reckers

Robert H. Reckers, Esq.

Attorney for Defendants

Rimini Street, Inc. and Seth Ravin  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Defendant's Responses and Objections to Plaintiffs' Second Amended RFAs Nos. 239-240 was served on the 5th day of March, 2012, via email, as indicated below.

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